

Annesley H. DeGaris  
CORY WATSON CROWDER  
& DEGARIS  
2131 Magnolia Avenue  
Birmingham, AL 35205  
(205) 328-2200

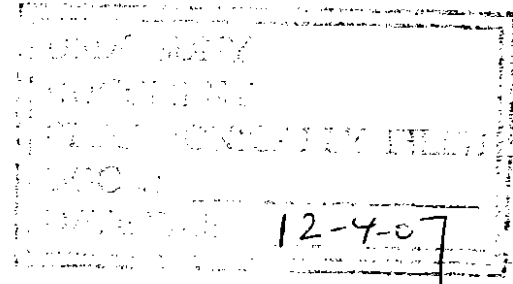
*Attorney for Plaintiff Bronnie Lee*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: Fosamax Products  
Liability Litigation**

***This Document Relates To:*  
Bronnie Lee  
1:07-cv-03248-JFK**

**MEMO ENDORSEL**



**MDL NO. 1789  
1:06-MD-1789 (JFK)**

**UNOPPOSED MOTION FOR SUBSTITUTION  
FILED ON BEHALF OF PLAINTIFF BRONNIE LEE  
PURSUANT TO FED. R. CIV. P. 25(a)(1)**

The Personal Representatives of Bronnie Lee move the Court to substitute them as the Plaintiffs in this civil action as follows:

1. Bronnie Lee passed away on June 7, 2007. A Suggestion of Death and accompanying documents were filed on November 20, 2007.
2. Under North Carolina law, the claim of Bronnie Lee survives to her Personal Representatives. N.C. Gen. Stat. § 28A-18-1
3. Mrs. Lee did not leave a Will. Mrs. Lee's children, Rayford Yates Lee, Jr. and Walter Michael Lee, were appointed as co-administrators of Mrs. Lee's estate by the State of North Carolina in the General Court of Justice Superior Court Division. A copy of the Letters of Administration are attached to the Declaration of Annesley H. DeGaris filed with this Court on November 20, 2007.

4. The Personal Representatives request the Court to grant this motion and allow their substitution, in place and instead of Bronnie Lee and further allow for the amendment of the Complaint to state a claim for wrongful death.

5. This motion is not opposed by the Defendant.

Respectfully Submitted,

/s/  
ANNESLEY H. DEGARIS  
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DEGARIS, P.C.  
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COUNSEL FOR PLAINTIFFS

Having been advised by plaintiff's counsel that defendant does not oppose the motion, the motion is granted.

SO ORDERED.

Dated: New York, N.Y.  
December 4, 2007

  
U.S.D.J.